

DECLARATION FOR PATENT APPLICATION

Attorney Docket: 24857

#3

As a below-named inventor(s), I/we hereby declare that:

My/Our residence(s), post office address(es) and citizenship(s) is/are as stated below next to my/our name(s).

I/We believe I/we am/are the original inventor, first and sole (if only one name is listed below) or the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed, and for which a patent is sought on the invention entitled: **Suture material for surgery, processes for its production and the use thereof**
 the specification of which: (check one)

☒ is attached hereto.☐ was filed on _____ as Serial No. _____

and was amended on _____ 19____ (if applicable).

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the patentability of this application as defined by 37 CFR § 1.56.

We hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate listed below, and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Applications:

100 62 881.8
 (Application No.)

Germany
 (Country)

16 / 12 / 2000
 (Day/Month/Year Filed)

 Priority Claimed
☒ Yes ☐ No

 (Application No.)

 (Country)

/ /
 (Day/Month/Year Filed)

☐ Yes ☐ No

 (Application No.)

 (Country)

/ /
 (Day/Month/Year Filed)

☐ Yes ☐ No

We hereby appoint Gary M. Nath, Reg. No. 26,965; Harold L. Novick, Reg. No. 26,011; Suet M. Chong, Reg. No. 38,104; Todd L. Juneau, Reg. No. 40,669; Patricia M. Drost, Reg. No. 29,790; Lee C. Heiman, Reg. No. 41,827; Jerald L. Meyer, Reg. No. 41,194; Joshua B. Goldberg, Reg. No. 44,126; David Milligan, Reg. No. 42,893 and Robert G. Lev, Reg. No. 30,280; David R. Murphy, Reg. No. 22,751; Paul A. Sacher, Reg. No. 43,418; Gregory B. Kang, Reg. No. P-45,273; Scott F. Yarnell, P-45,245; as my attorneys to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected therewith.

Dir Telephone Calls to:

Gary M. Nath
(202)775-8383
**020529**

PATENT TRADEMARK OFFICE

Send Correspondence to:

 Nath & Associates
 Sixth Floor, 1030 15th Street,
 N.W., Washington, D.C. 20005 - USA

We hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by 35 U.S.C. § 112, first paragraph, I/we acknowledge the duty to disclose material information as defined in 37 CFR § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(U.S. Application Serial No.) (U.S. Filing Date) (Status--patented, pending, abandoned)

(U.S. Application Serial No.) (U.S. Filing Date) (Status--patented, pending, abandoned)

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We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Erhard MUELLERInventor's Signature Erhard Mueller Date 29.1.2002Residence: D-70565 Stuttgart, GermanyCountry of Citizenship: GermanyPost Office Address: Reinbeckstrasse 29c, D-70565 Stuttgart, GermanyFull name of second inventor: Heinrich PLANCKInventor's Signature Heinrich Planck Date 29.1.02Residence: D-72622 Nuertingen, GermanyCountry of Citizenship: GermanyPost Office Address: Weinbergstrasse 66, D-72622 Nuertingen, GermanyFull name of third inventor: Sven OBERHOFFNERInventor's Signature Sven Oberhoffner Date 29.1.2002Residence: D-71384 Weinstadt-Benzach, GermanyCountry of Citizenship: GermanyPost Office Address: Ziegeleistrasse 3, D-71384 Weinstadt-Benzach, Germany
Quellenweg 6 Sven Oberhoffner 29.1.02

Full name of fourth inventor: _____

Inventor's Signature _____ Date _____

Residence: _____

Country of Citizenship: _____

Post Office Address: _____

Applicant/Patentee: 1) Erhard MUELLER, 2) Heinrich PLANCK 3) Sven OBERHOFFNER
 Serial/Patent No.: _____ Atty. Dkt No. _____
 Filed on/Issued on: _____
 For: Suture material for surgery, processes for its production and the use thereof

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR § 1.9(d) AND § 1.27(b)) - SMALL BUSINESS CONCERN

I hereby declare that I am:

- ☐ The owner of the small business concern identified below:
☒ An official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Deutsche Institute für Textil- und Faserforschung Stuttgart Stiftung des
 ADDRESS OF CONCERN öffentlichen Rechts
Koerschthalstrasse 26, D-73770 Denkendorf, Germany

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR § 121.8-18, and reproduced in 37 CFR § 1.9(d), for purposes of paying reduced fees under 35 USC § 41(a) and (b), in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement: (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that the rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled *** _____ by inventor(s) _____

1) Erhard MUELLER, Heinrich PLANCK described in: Suture material for surgery, processes
for its production and the use thereof

- ☒ The specification filed herewith
☐ U.S. Application Serial No. _____, filed _____
☐ U.S. Patent No. _____, issued _____

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR § 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR § 1.9(d) or a non-profit organization under 37 CFR § 1.9(e).

FULL NAME _____

ADDRESS _____

☐ Individual ☐ Small Business ☒ Non-Profit

*NOTE: Separate Verified Statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR § 1.27).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the Issue Fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR § 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC § 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this Verified Statement is directed.

NAME OF PERSON SIGNING Prof. Dr. Heinrich Planck
 TITLE OF PERSON SIGNING Director
 ADDRESS OF PERSON SIGNING Koerschthalstr. 26, D-73770 Denkendorf (Germany)

Signature [Signature] Date 23.1.02